

**AMENDMENT TRANSMITTAL****RECEIVED****PATENT**

Application No.: 09/823,786
Filing Date: March 30, 2001
First Named Inventor: Lalit Merani
Examiner's Name: Abelson, Ronald B.
Art Unit: 2666
Attorney Docket No.: 4073P014

NOV 14 2003

Technology Center 2600

- ☐ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- ☐ Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

- ☐ Preliminary Amendment
- ☒ Amendment
- ☐ Amendment After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- ☐ Notice of Appeal
- ☐ RCE (Request for Continued Examination)
- ☐ Supplemental Declaration
- ☐ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- ☒ Information Disclosure Statement (IDS)
- ☒ Copies of IDS citations
- ☒ Petition for Extension of Time
- ☒ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- ☐ Cross-Reference to Related Application(s)
- ☐ Certified Copy of Priority Document
- ☒ Other: Submission of Duplicates with Proof of Prior Timely Filing
- ☐ Other: _____
- ☒ Check(s)
- ☒ Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Lester J. Vincent, Reg. No. 31,460SIGNATURE: REG. NO.: 31,460DATE: November 5, 2003ADDRESS: 12400 Wilshire Boulevard, Seventh FloorLos Angeles, California 90025TELEPHONE NO.: (408) 720-8300**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on _____

Date of Deposit

Name of Person Mailing Correspondence

Signature

Date

Express Mail Label No. (if applicable): EV336587983US**Send to:** COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450

(10/10/03)

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Lalit Merani, et al.

Application No.: 09/823,786

Filed: March 30, 2001

For: METHOD AND APPARATUS FOR
IMPROVED SCHEDULING TECHNIQUE

Examiner: Abelson, Ronald B.

Art Unit: 2666

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF DUPLICATES WITH PROOF OF PRIOR TIMELY FILING

Enclosed are photocopies of the following documents that were mailed on December 28, 2001 (which is the date of the Certificate of Mailing) via first class mail using the certificate of mailing procedure under 37 C.F.R. § 1.8 to the United States Patent and Trademark Office:

- (1) Preliminary Amendment;
- (2) Postcard (as stamped by the Patent and Trademark Office);
- (3) Amendment Transmittal in duplicate; and
- (4) Check No. 47343 in the amount of \$768.00.

We request that the enclosed documents be accorded the December 28, 2001 date on the Certificate of Mailing.

This Submission of Duplicates is being promptly submitted. The Office Action mailed May 22, 2003 does not indicate that the enclosed Preliminary Amendment has

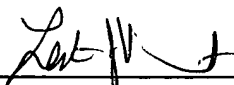
been received. The undersigned first became aware of this issue in the course of preparing a response to that May 22, 2003 Office Action.

If any fee is required not covered by any check previously submitted, please charge Deposit Account No. 02-2666. A duplicate of this document is enclosed for Deposit Account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: November 5, 2003



Lester J. Vincent
Reg. No. 31,460

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
(408) 720-8300

EXPRESS MAIL STATEMENT

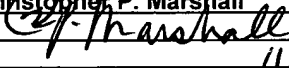
"Express Mail" mailing label number: EV336587983US

Date of Deposit: November 5, 2003

I hereby state that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Christopher P. Marshall

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

11/5/2003

(Date Signed)



Attorney's Docket No.: 04073.P014 Patent
In re the Application of: Lalit Merani, et al.
(inventor(s))
Application No.: 09/823,786
Filed: March 30, 2001
For: METHOD AND APPARATUS FOR IMPROVED SCHEDULING TECHNIQUE
(title)

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

SIR: Transmitted herewith is an Amendment for the above application.

Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.
A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.
No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amd.		Highest No. Previously Paid For	Present Extra	Rate	Additional Fee	Rate	Additional Fee
Total Claims	*44	Minus	**20	24	X9	\$	X18	\$432.00
Indep. Claims	*8	Minus	***4	4	X42	\$	X84	\$336.00
<div>First Presentation of Multiple Dependent Claim(s)</div>					+140	\$	+280	\$
					Total Add. Fee	\$	Total Add. Fee	\$768.00

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on December 28, 2001
Date of Deposit

Janece Shannon
Name of Person Mailing Correspondence

Janece Shannon
Signature

12-28-2001
Date

X A check in the amount of \$768.00 is attached for presentation of additional claim(s).
Applicant(s) hereby Petition(s) for an Extension of Time of _____ month(s) pursuant to
37 C.F.R. § 1.136(a).

 A check for \$ _____ is attached for processing fees under 37 C.F.R. § 1.17.

 Please charge my Deposit Account No. 02-2666 the amount of \$ _____.

A duplicate copy of this sheet is enclosed.

X The Commissioner of Patents and Trademarks is hereby authorized to charge payment of the
following fees associated with this communication or credit any overpayment to Deposit Account
No. 02-2666 (a duplicate copy of this sheet is enclosed):

X Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of
extra claims.

X Any extension or petition fees under 37 C.F.R. § 1.17.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP



Thomas C. Webster

Date: 12/28/01

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(408) 720-8300

Reg. No. 46,154

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BLAKELY, SORCLOFF, TAYLOR & ZAFMAN
LOS ANGELES

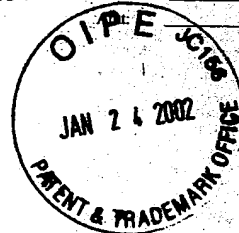
Serial/Patent No.: 09/823,786 Filing/Issue Date: March 30, 2001
Client: Amber Networks, Inc.
Title: METHOD AND APPARATUS FOR IMPROVED SCHEDULING TECHNIQUE

BSTZ File No.: 04073.P014 Atty/Secty Initials: LJV/ROR/js
Date Mailed: December 28, 2001 Docket Due Date: ****

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

<input type="checkbox"/> Amendment/Response (____ pgs.)	<input type="checkbox"/> Express Mail No.: _____	<input checked="" type="checkbox"/> Check No. <u>41343</u>
<input checked="" type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)	<input type="checkbox"/> _____ Month(s) Extension of Time	Amt: <u>768.00</u>
<input type="checkbox"/> Application - Utility (____ pgs., with cover and abstract)	<input type="checkbox"/> Information Disclosure Statement & PTO 1449 (____ pgs.)	<input type="checkbox"/> Check No. _____
<input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)	<input type="checkbox"/> Issue Fee Transmittal	
<input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)	<input type="checkbox"/> Notice of Appeal	
<input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.)	<input type="checkbox"/> Petition for Extension of Time	
<input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)	<input type="checkbox"/> Petition for _____	
<input type="checkbox"/> Application - Design (____ pgs.)	<input checked="" type="checkbox"/> Postcard	
<input type="checkbox"/> Application - PCT (____ pgs.)	<input type="checkbox"/> Power of Attorney (____ pgs.)	
<input type="checkbox"/> Application - Provisional (____ pgs.)	<input checked="" type="checkbox"/> Preliminary Amendment (<u>12</u> pgs.)	
<input type="checkbox"/> Assignment and Cover Sheet	<input type="checkbox"/> Reply Brief (____ pgs.)	
<input checked="" type="checkbox"/> Certificate of Mailing	<input type="checkbox"/> Response to Notice of Missing Parts	
<input type="checkbox"/> Declaration & POA (____ pgs.)	<input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business	
<input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.)	<input checked="" type="checkbox"/> Transmittal Letter, in duplicate	
<input type="checkbox"/> Drawings: _____ # of sheets includes _____ figures	<input type="checkbox"/> Fee Transmittal, in duplicate	

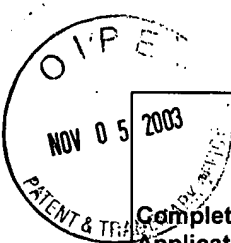
☐ Other: _____



ENTERED

FEB 04 2002

STATUS DB-LA



11-07-03

2666/8

FEE TRANSMITTAL FOR FY 2004

(FY 2004 Begins 10/01/2003)

TOTAL AMOUNT OF PAYMENT (\$) 1,130.00

Complete if Known:

Application No. 09/823,786
Filing Date March 30, 2001
First Named Inventor Lalit Merani
Examiner Name 2666
Art Unit Abelson, Ronald B.
Attorney Docket No. 4073P014

☐ Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: _____

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:

☒ Charge fee(s) indicated below.

☒ Credit any overpayments.

☒ Charge any additional fees during the pendency of this application.

☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

☐ Charge fee(s) indicated below except for the filing fee.

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FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
1001	770	2001	385	Utility application filing fee	_____
1002	340	2002	170	Design application filing fee	_____
1003	530	2003	265	Plant filing fee	_____
1004	770	2004	385	Reissue filing fee	_____
1005	160	2005	80	Provisional application filing fee	_____

SUBTOTAL (1) \$ 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid	
Total Claims	<u>44</u>	- 44** =	<u>0</u>	X	<u>18.00</u>	=	<u>0.00</u>
Independent Claims	<u>5</u>	- 8** =	<u>0</u>	X	<u>86.00</u>	=	<u>0.00</u>
Multiple Dependent						=	

**Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description
Code	Fee (\$)	Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0.00

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FEE CALCULATION (continued)

NOV 14 2003

3. ADDITIONAL FEES

Technology Center 2600

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	950.00
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	110	2814	55	Statutory Disclaimer	
1810	770	2810	385	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,330	1454	1,330	Acceptance of unintentionally delayed claim for priority	
Other fee (specify) _____					
Other fee (specify) _____					

SUBTOTAL (3) \$ 1,130.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Lester J. Vincent

Signature:  Date: November 5, 2003

Reg. Number: 31,460 Telephone Number: (408) 720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450